

Appln. No. 10/541,580
Amendment dated January 2, 2007
Reply to Office Action dated October 12, 2006

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action. Favorable reconsideration of the application is requested in view of the remarks made herein.

Claims 1-2, 4, and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Glagow et al. (US 6,233,872) in view of Matsushita (JP 2002-541298). Traversal of this rejection is made for at least the following reasons. Neither Glagow nor Matsushita, alone or in combination, teach or suggest each and every limitation set forth in independent claim 1. Specifically, neither Glagow nor Matsushita teaches or suggests a pressure sensor disposed along an outer edge of a trunk lid of a vehicle *such that the pressure sensor does not come into contact with the body of the vehicle when the trunk lid is closed*. The Examiner relied on weatherseal 10 of Glagow as being equivalent to the claimed pressure sensor. Because the weatherseal 10 of Glagow is used to provide a seal between a trunk lid and a body of a vehicle, the weatherseal 10 must contact the body of the vehicle. To modify it otherwise would be to render the weatherseal 10 unsuitable for its intended purpose. Matsushita does not make up for the aforementioned deficiencies of Glagow as Matsushita also discloses a weatherscal for a sunroof of a vehicle. Because neither Glagow nor Matsushita teach or suggest each and every limitation set forth in claim 1, the combination of Glagow and Matsushita cannot anticipate claim 1 or claims 2, 4, and 5, which depend therefrom. Withdrawal of this rejection is respectfully requested.

Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Glagow et al. in view of Matsushita as applied to claim 2 above, and further in view of Kramer et al. (US 5,296,658). Traversal of this rejection is made for at least the following reasons. Claim 3 depends from claim 1,

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which is believed to be allowable over the combination of Glagow and Matsushita, as discussed above. Kramer fails to make up for the deficiencies of Glagow and Matsushita, as Kramer is directed to a safety edge switch secured to a window opening by an adhesive. Accordingly, the combination of Glagow, Matsushita, and Kramer do not render claim 1 or claim 3, which depends therefrom, obvious. Withdrawal of this rejection is requested.

Claims 6–7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Glagow et al. in view of Matsushita as applied to claim 1 above, and further in view of Toyota (JP 2000096913). Traversal of this rejection is made for the following reasons. The combination of Glagow, Matsushita, and Toyota fails to teach or suggest a pinching detection apparatus having a pressure sensor laid along an outer edge of a trunk lid of a vehicle *such that the pressure sensor does not contact a body of the vehicle when the trunk lid is closed*. Glagow discloses a weatherseal having an integral anti-trap guard that does not detrimentally affect the sealing function of the weatherseal. The weatherseal of Glagow, when applied to a truck lid of a vehicle, must contact the body of the vehicle in order to provide the sealing function. Matsushita discloses a piezoelectric sensor for determining trapped objects within electrically driven doors and window, such as a vehicle sunroof. As shown in Fig. 10 of Matsushita, if applied to a vehicle trunk lid, the sensor would contact the body of the vehicle when the trunk lid is closed. Toyota merely discloses a trunk opening and closing device. Thus, none of the cited references disclose a pressure sensor laid along an outer edge of a trunk lid such that the pressure sensor does not contact a body of the vehicle when the trunk lid is closed. Because, neither Glagow, Matsushita, nor Toyota teach or suggest each and every limitation set forth in claim 6, the combination of Glagow, Matsushita, and Toyota cannot render claim 6 or claim 7, which depends therefrom, obvious. Withdrawal of this rejection is respectfully requested.

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In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 38371.

Respectfully submitted,

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Date: January 2, 2007